IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Bail Appl..No. 5734 of 2007()

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CMP.7801/2007 of J.M.F.C.-I,KOTTARAKKARA
CRIME NO.32/07 OF EZHUKONE EXCISE RANGE.

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PETITIONER

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KAMALASANAN, S/O. CHELLAPPAN,
CIZHAKAM VEEDU, EDAKKIDOM,IRO
KAREEPRA VILLAGE,KOTTARAKKARA.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS:

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STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R. BASANT, J.**

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B.A. NO. 5734 of 2007

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**Dated this the 24th day of September, 2007**

**ORDER**

Second application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 345 litres of Wash on 9/8/07. He was arrested and continues in custody from that date. The petitioner has no history of criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 27/9/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R. BASANT, JUDGE)**

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